

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Jeremy X. Gerald,

Plaintiff,

v.

Case No. 1:19cv754

Gary Mohr, *et al.*,

Judge Michael R. Barrett

Defendants.

ORDER

This matter is before the Court on the Report and Recommendation (“R&R”) filed by the Magistrate Judge on March 20, 2020 (Doc. 17).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the R&R in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge’s R&R (Doc. 17) have been filed.

Accordingly, it is **ORDERED** that the R&R (Doc. 17) of the Magistrate Judge is hereby **ADOPTED**. Consistent with the recommendation by the Magistrate Judge, this matter is dismissed for plaintiff’s failure to pay the full filing fee as ordered. In addition, plaintiff will be assessed the full filing fee of \$400.00. The Clerk of Court is directed to mail a copy of this Order, along with the following instructions to the Cashier of the Lebanon Correctional institution in Lebanon, Ohio:

The prison's Cashier shall deduct, and forward to the Clerk of Court, 20% of the preceding month's income credited to plaintiff's account each time the amount in the account exceeds \$10.00 until the full fee has been paid without aggregating more than the amount of the full fee.

The Motions to Intervene and to proceed in forma pauperis (Docs. 6-11) as to Adam Armstrong, Trevor Bolton and Deaunte Bullit are **DENIED AS MOOT**.

Any request for certificate of appealability or request to certify an appeal would not be taken in good faith and would be denied.

IT IS SO ORDERED.

s/Michael R. Barrett
Michael R. Barrett, Judge
United States District Court